

MACOMB TOWNSHIP ZONING BOARD OF APPEALS
MINUTES OF A REGULAR MEETING HELD ON
MAY 8, 2007

LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS
54111 BROUGHTON ROAD, MACOMB, MI 48042

PRESENT: CHAIRMAN, BRIAN FLORENCE
MEMBERS: EDWARD GALLAGHER
NUNZIO PROVENZANO
VICTORIA SELVA
DAWN SLOSSON

ABSENT: NONE

ALSO PRESENT: COLLEEN O'CONNOR, TOWNSHIP ATTORNEY
JEROME R. SCHMEISER, PLANNING CONSULTANT
(Additional attendance record on file with Clerk)

Call Meeting to Order.

Chairman FLORENCE called the meeting to order at 7:00 P.M.

1. Roll Call.

Secretary SLOSSON called the Roll Call. All members present.

2. PLEDGE OF ALLEGIANCE.

3. Approval of Agenda Items. *(with any corrections)*
Note: All fees have been received and all property owners were notified by mail

MOTION by GALLAGHER seconded by SELVA to approve the agenda as amended which consists of tabling agenda item 5 as requested by the petitioners' attorney to July 10, 2007.

MOTION carried.

4. Approval of the previous meeting minutes:

MOTION by GALLAGHER seconded by PROVENZANO to approve the meeting minutes of March 27, 2007 as presented.

MOTION carried.

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PURPOSE OF HEARING:

To consider the requests for variance(s) of Zoning Ordinance No. 10 for the following:

Agenda Number/Petitioner/ Permanent Parcel No.	Zoning Ordinance Section No.
(5) Mark Grabow Permanent Parcel 08-04-400-030	Section 10.0402
(6) Beverly Blumke Permanent Parcel 08-33-276-001	Section 10.0330
(7) Lucilla Bigford Permanent Parcel 08-36-152-003	Section 10.0202
(8) SignArt, Inc. Permanent Parcel No. 08-17-476-005	Section 10.1705(I)(4)(B)
(9) SignArt, Inc. Permanent Parcel No. 08-24-101-016	Section 10.1605(I)(6)(a)
(10) Howard Baisch Permanent Parcel No. 08-18-326-012	Section 10.2107G
(11) Luigi Ferninandi & Son Cement Co. Permanent Parcel No. 08-27-154-009	Section 10.0704(D)(1) 10.0704(D)(1) 10.0704(I)(2)
(12) Luigi Ferninandi & Son Cement Co. Permanent Parcel 08-27-171-001	Section 10.0704(D)(1) 10.0704(I)(2)
(13) Willowood Subdivision Association Permanent Parcel 08-20-455-011	Section 10.0704(D)(1) 10.0704(I)(2)
(14) Willowood Subdivision Association Permanent Parcel 08-20-452-017	Section 10.0704(D)(1) 10.0704(I)(2)

5. VARIANCE FROM THE PROVISION OF THE ZONING ORDINANCE;
Section 10.0402-Request to allow the use of an AG zone for limousine service
Located on the north side of 25 Mile Road, ¼ mile west of Broughton Road; Section
4; Mark Grabow, Petitioners. Permanent Parcel No. 08-04-400-030.

Tabled to July 10, 2007.

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6. VARIANCE FROM THE PROVISION OF THE ZONING ORDINANCE;
Section: 10.0330-Request to allow 2 principle structures on one parcel.
Located on West side of Heydenreich Road, approx. ¼ mile south of 21 Mile Road;
Section 33; Beverly Blumke, Petitioner. Permanent Parcel No. 08-33-276-001

Chairman FLORENCE read the findings and recommendations of May 3, 2007. They are as follows:

The petitioner is requesting allowance for the temporary use of the above described property for 2 residential structures. The petitioner lives in the house situated approximately 95' from the centerline of Heydenreich Road. It is the petitioner's intention to construct a new residence approximately 175' from the centerline Heydenreich Road. According to the petitioner's application, the older home and garage will be demolished.

According to the plan, the new structure will meet the requirements of the zoning ordinance.

RECOMMENDATION:

It is recommended that the variance request be granted with the understanding that the existing residence and garage will be removed prior to the issuance of a certificate of occupancy for the new home.

Beverly Blumke, petitioner, was in attendance and stated the garage which was detached from her house now will be demolished once she obtains a building permit to begin the construction of her new home. Further, once Final Occupancy is granted the existing house would also be demolished, there are no plans to rent the old house out.

Public Portion: None.

MOTION by SLOSSON seconded by SELVA to close the public portion.

MOTION carried.

The following resolution was offered by SELVA and seconded by SLOSSON:

Whereas, it has been satisfactorily presented that special conditions prevail that would cause an unnecessary hardship if the request would be denied, and that conditions exist that are unique to the property and the granting of the request would not confer special privileges for the petitioner that would be denied other similar properties, that the variance request would be consistent with the spirit and intent of the Macomb Township Zoning Ordinance No. 10 under the findings and facts herein set forth;

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Now, therefore, be it resolved, that the action of the Board is to grant the requested variance of Section 10.0330-Request to allow 2 principle structures on one parcel; Located on West side of Heydenreich Road, approx. ¼ mile south of 21 Mile Road; Section 33; Beverly Blumke, Petitioner. Permanent Parcel No. 08-33-276-001. The variance is conditioned upon the detached garage being demolished. Once the Certificate of Occupancy has been granted the old house must be demolished within three weeks.

MOTION carried.

7. VARIANCE FROM THE PROVISION OF THE ZONING ORDINANCE;
Section: 10.0202-(Definition of Private Garage)-Increase from 624 square feet to 1344 square feet.
Located on north side of Maplevue, first house east of North Avenue; Section 36; Lucilla E. Bigford, Petitioner. Permanent Parcel No. 08-36-152-003.

Chairman FLORENCE read the findings and recommendations of May 3, 2007. They are follows:

The petitioner is requesting allowance to add a 720 (24' x 30') square foot addition to an already existing 624 (24' x 26') square foot attached garage.

The purpose of the request is to allow a workshop to be constructed for the residence.

All other ordinance requirements would be met.

RECOMMENDATION:

It is recommended that the variance request be denied for the following reasons:

1. Compliance with the strict letter of the zoning requirement would not unreasonably prevent the ownership from using the property as zoned. Other residential structures planned in Macomb Township will be required to comply with the same garage-size requirement which is evidence that the proper size allowance would not be unnecessarily burdensome.
2. The granting of a variance as requested would give to the applicant an advantage or benefit not received by any other property owners in residential developments in Macomb Township. The other owners are or will be required to comply with the garage size requirement. As a result the other property owners do not have the opportunity to make use of an additional 720 square feet.

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There is nothing unusual about the parcel in question that sets it apart from other parcels in area or in Macomb Township. There is nothing to prevent any part of the ordinance from being met. For example, there are no significant grade differences or natural feature such as a stream or wetland to prevent full use of the parcel according to the ordinance as written.

Mike Malaga, representative, was in attendance and stated this request was being made for additional storage since Mrs. Bigford's husband had passed away. Her son and daughter-in-law were going to be moving into the house and the garage would be used to store their belongs. He then gave an overview of the lot and how the extension of the garage would look better then having accessory structures. Lastly, they would be willing to down size the request on the garage if the Board requested.

Member GALLAGHER stated there would be no problem if the building were to be a separate livable building having a distance of 10 feet but connected by a breezeway.

Mike Malaga asked to have the variance request tabled to the July 10, 2007 meeting.

Public Portion: None.

MOTION by SLOSSON seconded by SELVA to close the public portion.

MOTION carried.

MOTION by GALLAGHER seconded by SLOSSON to table the variance request of Section 10.0202-(Definition of Private Garage)-Increase from 624 square feet to 1344 square feet; Located on north side of Maplevue, first house east of North Avenue; Section 36; Lucilla E. Bigford, Petitioner. Permanent Parcel No. 08-36-152-003. This item has been tabled to July 10, 2007 at the petitioner's request.

MOTION carried.

8. **VARIANCE FROM THE PROVISION OF THE ZONING ORDINANCE;**
Section: 10.1705(I)(4)(b)-Request to increase sign from 64 square feet to 150 square feet.
Located on northeast corner of 23 Mile and Romeo Plank Road; Section 17; Sign Art, Petitioner. Permanent Parcel No. 08-17-476-005.

Chairman FLORENCE read the findings and recommendation of May 3, 2007. They are as follows:

The petitioner is requesting permission to construct a wall sign of 150 square feet instead of the allowable 64 square feet per the zoning ordinance.

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RECOMMENDATION:

It is recommended that the variance request be denied for the following reasons:

1. Compliance with the strict letter of the sign size requirement would not unreasonably prevent the ownership from using the property as zoned. Other commercial structures planned in Macomb Township will be required to comply with the same sign size requirement which is evidence that the proper sign size would not be unnecessarily burdensome.
2. The granting of a variance as requested would give to the applicant an advantage or benefit not received by any other property owners in commercial developments in Macomb Township. The other owners are or will be required to comply with the sign size requirement. As a result the other property owners do not have the opportunity to make use of an additional 86 square feet of sign for their property.

There is nothing unusual about the parcel in question that sets it apart from other parcels in the area or in Macomb Township. There is nothing to prevent any part of the sign size from meeting the requirements of the Zoning Ordinance as it relates to the property. For example, there are no significant grade differences or natural feature such as a stream or wetland to prevent full use of the parcel according to the ordinance as written.

3. The variance would amount to increase the sign by approximately 130% from the requirement of the ordinance.

Eleanor Heacock, petitioner, was in attendance and stated this was a stand alone building and fronts two separate streets. With signage on only one side there is no identity for the other elevation. Further, if we stay under the required square footage there would only be one set of 24 inch letters which would be dwarfed by the vast size of the canvas.

Member SELVA stated our job is to grant a variance if there is a hardship. So traditionally, we do not grant a variance on signs. I don't see a hardship because the size of the sign.

Member GALLAGHER asked the question, "Do you really need a sign to know where you are going?" The building itself is signage.

Chairman FLORENCE stated the Board has presented the history on the signage requests presented in the past and requests have been denied. The presentation given to us tonight has not given justification for an approval just because you front on a corner or that you believe a larger sign is needed in order for visibility purposes. Those have not typically been a reason for granting a variance.

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Public Portion: Lee Deising representing his mother, stated his mother felt that you have an ordinance limiting the sign to a certain limitation and that should stand.

MOTION by SLOSSON seconded by SELVA to close the public portion.

MOTION carried.

MOTION by GALLAGHER seconded by PROVENZANO to deny the variance request of Section 10.1705(I)(4)(b)-Request to increase sign from 64 square feet to 150 square feet; Located on northeast corner of 23 Mile and Romeo Plank Road; Section 17; Sign Art, Petitioner. Permanent Parcel No. 08-17-476-005. The variance was denied since there would be an increase of approximately 130% from the requirement and there has been nothing shown that there would be a practical difficulty presented.

MOTION carried.

9. VARIANCE FROM THE PROVISION OF THE ZONING ORDINANCE;
Section 10.1605(I)(6)(a)-Request to increase sign from 100 square feet to 150 square feet.
Located on southeast corner of 23 Mile and North Avenue; Section 24; Sign Art, Petitioner. Permanent Parcel No. 08-24-101-016.

Chairman FLORENCE read the findings and recommendations of May 3, 2007. They are as follows:

The petitioner is requesting allowance to increase the size of a wall sign from 100 square feet to 150 square feet.

RECOMMENDATION:

It is recommended that the variance request be denied for the following reasons:

1. Compliance with the strict letter of the sign size requirement would not unreasonably prevent the ownership from using the property as zoned. Other commercial structures planned in Macomb Township will be required to comply with the same sign size requirement which is evidence that the proper sign size would not be unnecessarily burdensome.
2. The granting of a variance as requested would give to the applicant an advantage or benefit not received by any other property owners in commercial developments in Macomb Township. The other owners are or will be required to comply with the sign size requirement. As a result the other property owners do not have the opportunity to make use of an additional 50 square feet of sign for their property.

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There is nothing unusual about the parcel in question that sets it apart from other parcels in area or in Macomb Township. There is nothing to prevent any part of the sign size from meeting the requirements of the Zoning Ordinance as it relates to the property. For example, there are no significant grade differences or natural feature such as a stream or wetland to prevent full use of the parcel according to the ordinance as written.

3. The variance would amount to increase the sign by approximately 50% from the requirement of the ordinance.

Eleanor Heacock, petitioner, was in attendance and stated this was a stand alone building facing two different roads.

Public Portion: None.

MOTION by SLOSSON seconded by SELVA to close the public portion.

MOTION carried.

MOTION by SLOSSON seconded by PROVENZANO to deny the variance request of Section 10.1605(I)(6)(a)-Request to increase sign from 100 square feet to 150 square feet; Located on southeast corner of 23 Mile and North Avenue; Section 24; Sign Art, Petitioner. Permanent Parcel No. 08-24-101-016. The variance was denied based upon the Planning Consultants recommendations as follows and that there has been no practical difficulty shown.

1. Compliance with the strict letter of the sign size requirement would not unreasonably prevent the ownership from using the property as zoned. Other commercial structures planned in Macomb Township will be required to comply with the same sign size requirement which is evidence that the proper sign size would not be unnecessarily burdensome.
2. The granting of a variance as requested would give to the applicant an advantage or benefit not received by any other property owners in commercial developments in Macomb Township. The other owners are or will be required to comply with the sign size requirement. As a result the other property owners do not have the opportunity to make use of an additional 50 square feet of sign for their property.

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There is nothing unusual about the parcel in question that sets it apart from other parcels in area or in Macomb Township. There is nothing to prevent any part of the sign size from meeting the requirements of the Zoning Ordinance as it relates to the property. For example, there are no significant grade differences or natural feature such as a stream or wetland to prevent full use of the parcel according to the ordinance as written.

- 3. The variance would amount to increase the sign by approximately 50% from the requirement of the ordinance.**

MOTION carried.

10. VARIANCE FROM THE PROVISION OF THE ZONING ORDINANCE;
Section 10.2107G- Request to eliminate a separation wall between an M-1 and AG zone.
Located on west side of Industrial Drive, north of 23 Mile Road, Unit 12 of Macomb Industrial Park Subdivision; Section 18; Howard Baisch, Petitioner. Permanent Parcel No. 08-18-326-012.

Chairman FLORENCE read the findings and recommendations of May 3, 2007. They are as follows:

The petitioner is requesting permission to eliminate the required wall between an industrial zone and a residential zone. It is noted that although the land to the west is zoned AG, it is developable for residential purposes.

The property to the west of the proposed development includes a drainage easement and a gas line easement as well as a Detroit Edison easement. Although the property in question is owned by the owner of unit 12, easements across it prohibit the construction of structures. The Township has supported variances on other units within the project in this instance.

RECOMMENDATION:

It is recommended that the variance request be granted. However, it is further recommended that the variance be conditioned on the installation of the sound deadening plastic strips on all doors along the west elevation of the proposed industrial building. It is further recommended that all segments of the windows including the window panes along the west elevation be stationary so that the windows cannot be opened and to prevent sound from emanating inside the industrial use.

Frank Salamone, representative, was in attendance.

Public Portion: None.

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MOTION by GALLAGHER seconded by SLOSSON to close the public portion.

MOTION carried.

The following resolution was offered by SELVA and seconded by SLOSSON:

Whereas, it has been satisfactorily presented that special conditions prevail that would cause an unnecessary hardship if the request would be denied, and that conditions exist that are unique to the property and the granting of the request would not confer special privileges for the petitioner that would be denied other similar properties, that the variance request would be consistent with the spirit and intent of the Macomb Township Zoning Ordinance No. 10 under the findings and facts herein set forth;

Now, therefore, be it resolved, that the action of the Board is to grant the requested variance of Section 10.2107G- Request to eliminate a separation wall between an M-1 and AG zone; Located on west side of Industrial Drive, north of 23 Mile Road, Unit 12 of Macomb Industrial Park Subdivision; Section 18; Howard Baisch, Petitioner. Permanent Parcel No. 08-18-326-012. The variance was granted based upon the easements giving a different conditions to that property and with the Planning Consultants recommendations as follows:

That the variance be conditioned on the installation of the sound deadening plastic strips on all doors along the west elevation of the proposed industrial building. It is further recommended that all segments of the windows including the window panes along the west elevation be stationary so that the windows cannot be opened and to prevent sound from emanating outside the industrial use.

MOTION carried.

11. VARIANCE FROM THE PROVISION OF THE ZONING ORDINANCE;
Section 10.0704(D)(1)-Request to reduce the setback along Heydenreich from 25' to 5'
Section 10.0704(D)(1)-Request to reduce the setback along Shelton from 25' to 13'.
Section 10.0704(i)2-Request to increase the size of a sign from 2 square feet to 36 square feet.
Located on Northeast corner of Heydenreich and Shelton Drive; Section 27; Luigi Ferninandi & Son Cement, Petitioner. Permanent Parcel No. 08-27-154-009
Address: 20709 Shelton Drive

Chairman FLORENCE read the findings and recommendations of May 3, 2007. They are as follows:

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The petitioner is requesting permission to replace 2 existing entrance signs to the subdivision. The signs will be located 5' from Heydenreich and 13' from Shelton on the northeast and southeast corners of Shelton and Heydenreich. The signs will measure 36 square feet with a height of 6'.

As the Board will recall, the current development of subdivisions provide for dedicated landscape areas in which signs are allowed to be developed. Older subdivisions have not been provided such dedicated areas and therefore it is necessary that subdivision owners obtain variances for encroachment into the setbacks and sign size. Signs for older subdivisions are normally placed on private property such as is the case for this subdivision which requires actions for variances.

RECOMMENDATION:

It is recommended that the variance request be granted with the understanding that the petitioner will receive approval from the Water and Sewer Department regarding the proposed sign location in relation to existing public utilities.

Jerome R. Schmeiser, Planning Consultant, stated that items 11 and 12 go together along with items 13 and 14 going together. He then briefly presented the area requesting the signs and that these are on private property.

Member SLOSSON excused herself from this item since she lives within the subdivision.

Public Portion: None.

MOTION by GALLAGHER seconded by PROVENZANO to close the public portion.

MOTION carried.

The following resolution was offered by GALLAGHER and seconded by PROVENZANO:

Whereas, it has been satisfactorily presented that special conditions prevail that would cause an unnecessary hardship if the request would be denied, and that conditions exist that are unique to the property and the granting of the request would not confer special privileges for the petitioner that would be denied other similar properties, that the variance request would be consistent with the spirit and intent of the Macomb Township Zoning Ordinance No. 10 under the findings and facts herein set forth;

Now, therefore, be it resolved, that the action of the Board is to grant the requested variance of Section 10.0704(D)(1)-Request to reduce the setback along Heydenreich from 25' to 5';

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**Section 10.0704(D)(1)-Request to reduce the setback along Shelton from 25' to 13';
Section 10.0704(i)2-Request to increase the size of a sign from 32 square feet to 36
square feet; Located on Northeast corner of Heydenreich and Shelton Drive; Section
27; Luigi Ferninandi & Son Cement, Petitioner. Permanent Parcel No. 08-27-154-009
Address: 20709 Shelton Drive. The variance was granted pursuant to the
recommendations of the Planning Consultants as follows:**

**The request be granted with the understanding that the petitioner will receive
approval from the Water and Sewer Department regarding the proposed sign location
in relation to existing public utilities.**

MOTION carried.

12. VARIANCE FROM THE PROVISION OF THE ZONING ORDINANCE;
Section 10.0704(D)(1)-Request to reduce the setback along Heydenreich from 25' to
5'.
Section 10.0704(D)(1)-Request to reduce the setback along Shelton from 25' to 13'.
Section 10.0704(i)2 request to increase the size of a sign from 32 square feet to 36
square feet.
Located on southeast corner of Heydenreich and Shelton Drive; Section 27; Luigi
Ferninandi & Son Concrete, Petitioner. Permanent Parcel No. 08-27-171-001
Address: 48059 Daisy

Chairman FLORENCE read the findings and recommendations of May 3, 2007. They are
as follows:

The petitioner is requesting permission to replace 2 existing entrance signs to the
subdivision. The signs will be located 5' from Heydenreich and 13' from Shelton on the
northeast and southeast corners of Shelton and Heydenreich. The signs will measure 36
square feet with a height of 6'.

As the Board will recall, the current development of subdivisions provide for dedicated
landscape areas in which signs are allowed to be developed. Older subdivisions have not
been provided such dedicated areas and therefore it is necessary that subdivision owners
obtain variances for encroachment into the setbacks and sign size. Signs for older
subdivisions are normally placed on private property such as is the case for this subdivision
which requires actions for variances.

RECOMMENDATION:

It is recommended that the variance request be granted with the understanding that the
petitioner will receive approval from the Water and Sewer Department regarding the
proposed sign location in relation to existing public utilities.

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The following resolution was offered by GALLAGHER and seconded by PROVENZANO:

Whereas, it has been satisfactorily presented that special conditions prevail that would cause an unnecessary hardship if the request would be denied, and that conditions exist that are unique to the property and the granting of the request would not confer special privileges for the petitioner that would be denied other similar properties, that the variance request would be consistent with the spirit and intent of the Macomb Township Zoning Ordinance No. 10 under the findings and facts herein set forth;

Now, therefore, be it resolved, that the action of the Board is to grant the requested variance of Section 10.0704(D)(1)-Request to reduce the setback along Heydenreich from 25' to 5';

Section 10.0704(D)(1)-Request to reduce the setback along Shelton from 25' to 13';

Section 10.0704(i)2-Request to increase the size of a sign from 32 square feet to 36 square feet; Located on southeast corner of Heydenreich and Shelton Drive; Section 27; Luigi Ferninandi & Son Concrete, Petitioner. Permanent Parcel No. 08-27-171-001. The variance was granted pursuant to the recommendations of the Planning Consultants as follows:

The request is granted with the understanding that the petitioner will receive approval from the Water and Sewer Department regarding the proposed sign location in relation to existing public utilities.

MOTION carried.

13. **VARIANCE FROM THE PROVISION OF THE ZONING ORDINANCE;**
Section 10.0704D(1)-Request to reduce the setback from 25' to 11' and 16' respectfully from 22 Mile Road, and Valley Forge Drive.
Section 10.0704(I)(2)-Request to increase the size of the sign from 2 square feet to 36 square feet.
Located on northeast corner of 22 Mile Road and Valley Forge; Lot 44 of Willowood Subdivision; Section 20; Willowood Subdivision Association, Petitioner.
Permanent Parcel No. 08-20-455-011. Address: 18012 Rose Court

Chairman FLORENCE read the findings and recommendations of May 3, 2007. They are as follows:

The petitioner is requesting permission to replace existing wood sign with permanent masonry signs. The existing sign will be completely removed with the new sign being placed in proximity to the current sign location. The new sign will be within the setbacks and will be larger than the existing sign. The sign will be sitting on a 42" foundation which will measure 3' x 14'.

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The proposed sign will set back 11' from 22 Mile Road and 16' from Valley Forge Drive and be located on the northeast corner of 22 Mile and Valley Forge. The sign will measure 4' x 9' and sit between 2 pillars each with a height of approximately 5'. The sign will contain 36 square feet.

The petitioner has spoken with the Water and Sewer Department who has indicated that the proposed sign will not be situated over any installed utilities.

As the Board will recall, the current development of subdivisions provide for dedicated landscape areas in which signs are allowed to be developed. Older subdivisions have not been provided such dedicated areas and therefore it is necessary that subdivision owners obtain variances for encroachment into the setbacks and sign size. Signs for older subdivisions are normally placed on private property such as are the case for this subdivision.

RECOMMENDATION:

It is recommended that the variance request be granted with the understanding that the petitioner will receive approval from the Water and Sewer Department regarding the proposed sign location in relation to existing public utilities.

Virginia Gallabush, petitioner, was in attendance.

Public Portion: None.

MOTION by GALLAGHER seconded by SELVA to close the public portion.

MOTION carried.

The following resolution was offered by GALLAGHER and seconded by SELVA:

Whereas, it has been satisfactorily presented that special conditions prevail that would cause an unnecessary hardship if the request would be denied, and that conditions exist that are unique to the property and the granting of the request would not confer special privileges for the petitioner that would be denied other similar properties, that the variance request would be consistent with the spirit and intent of the Macomb Township Zoning Ordinance No. 10 under the findings and facts herein set forth;

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Now, therefore, be it resolved, that the action of the Board is to grant the requested variance of Section 10.0704D(1)-Request to reduce the setback from 25' to 11' and 16' respectfully from 22 Mile Road, and Valley Forge Drive;

Section 10.0704(I)(2)-Request to increase the size of the sign from 2 square feet to 36 square feet. Located on northeast corner of 22 Mile Road and Valley Forge; Lot 44 of Willowood Subdivision; Section 20; Willowood Subdivision Association, Petitioner. Permanent Parcel No. 08-20-455-011. Address: 18012 Rose Court. The variance was granted pursuant to the recommendations of the Planning Consultants as follows:

It is recommended that the variance request be granted with the understanding that the petitioner will receive approval from the Water and Sewer Department regarding the proposed sign location in relation to existing public utilities.

MOTION carried.

14. VARIANCE FROM THE PROVISION OF THE ZONING ORDINANCE;
Section 10.0704D(1)-Request to reduce the setback from 25' to 11' and 16' respectfully from 22 Mile Road, and Valley Forge Drive.
Section 10.0704(I)(2)-Request to increase the size of the sign from 2 square feet to 36 square feet.
Located on northwest corner of 22 Mile and Valley Forge Drive; Lot 1 of Willowood Subdivision; Section 20; Willowood Subdivision Association, Petitioner.
Permanent Parcel No. 08-20-452-017 Address: 49009 Valley Forge

Chairman FLORENCE read the findings and recommendations of May 3, 2007. They are as follows:

The petitioner is requesting permission to replace existing wood sign with permanent masonry sign. The existing sign will be completely removed with the new sign being place in proximity to the current sign location. The new sign will be within the setbacks and will be larger than the existing sign. The sign will be sit on a 42" foundation which will measure 3' x 14'.

The proposed sign will set back 11' from 22 Mile Road and 16' from Valley Forge Drive and be located on the northwest corner of 22 Mile and Valley Forge. The sign will measure 4' x 9' and sit between 2 pillars each with a height of approximately 5'. The sign will contain 36 square feet.

The petitioner has spoken with the Water and Sewer Department who has indicated that the proposed sign will not be situated over any utilities installed.

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As the Board will recall, the current development of subdivisions provide for dedicated landscape areas in which signs are allowed to be developed. Older subdivisions have not been provided such dedicated areas and therefore it is necessary that subdivision owners obtain variances for encroachment into the setbacks and sign size. Signs for older subdivisions are normally placed on private property such as is the case for this subdivision which requires actions for variances.

RECOMMENDATION:

It is recommended that the variance request be granted with the understanding that the petitioner will receive approval from the Water and Sewer Department regarding the proposed sign location in relation to existing public utilities.

The following resolution was offered by GALLAGHER and seconded by SELVA:

Whereas, it has been satisfactorily presented that special conditions prevail that would cause an unnecessary hardship if the request would be denied, and that conditions exist that are unique to the property and the granting of the request would not confer special privileges for the petitioner that would be denied other similar properties, that the variance request would be consistent with the spirit and intent of the Macomb Township Zoning Ordinance No. 10 under the findings and facts herein set forth;

Now, therefore, be it resolved, that the action of the Board is to grant the requested variance of Section 10.0704D(1)-Request to reduce the setback from 25' to 11' and 16' respectfully from 22 Mile Road, and Valley Forge Drive;

Section 10.0704(I)(2)-Request to increase the size of the sign from 2 square feet to 36 square feet; Located on northeast corner of Valley Forge and Rose Court; Section 20; Willowood Subdivision Association, Petitioner. Permanent Parcel No. 08-20-452-017. Address: 49009 Valley Forge. The variance was granted pursuant to the recommendations of the Planning Consultants as follows:

It is recommended that the variance request be granted with the understanding that the petitioner will receive approval from the Water and Sewer Department regarding the proposed sign location in relation to existing public utilities.

MOTION carried.

15. OLD BUSINESS

None.

MACOMB TOWNSHIP ZONING BOARD OF APPEALS
MINUTES OF A REGULAR MEETING HELD ON
MAY 8, 2007

16. NEW BUSINESS

Jerome R. Schmeiser, Planning Consultant, stated the next regular meeting will be July 10, 2007.

17. PLANNING CONSULTANTS COMMENTS

None.

18. Motion to receive and file all correspondence in connection with this agenda.

MOTION by GALLAGHER seconded by SLOSSON to receive and file all correspondence.

MOTION carried.

ADJOURNMENT

MOTION by SELVA seconded by SLOSSON to adjourn the meeting at 8:15 p.m.

MOTION carried.

Respectfully submitted,

Brian Florence, Chairman

Dawn Slosson, Secretary

Beckie Kavanagh, Recording Secretary